

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

OSCAR ART STANLEY,

Plaintiff,

V.

STATE OF NEVADA, et al.,

Defendants.

Case No.: 2:22-cv-01130-APG-BNW

Order Accepting Report and Recommendation and Dismissing Case

[ECF No. 3]

On August 18, 2022, Magistrate Judge Weksler recommended that I dismiss plaintiff Stanley’s complaint with prejudice because the defendants are immune from suit and the plaintiff “necessarily implies the invalidity of [Stanley’s] conviction or sentence,” which is precluded by *Heck v. Humphrey*, 512 U.S. 477 (1994). ECF No. 3 at 3. Stanley filed an objection.

I have conducted a de novo review of the issues in Judge Weksler's recommendation, as required by Local Rule IB 3-2. Stanley's objection does not rebut Judge Weksler's findings or conclusions that the defendants are immune from suit and that the claims are barred by *Heck*. Judge Weksler's Report and Recommendation sets forth the proper legal analysis and factual basis for the decision, and I accept and adopt it as my own.

I THEREFORE ORDER that the Report and Recommendation (**ECF No. 3**) is accepted and this case is DISMISSED with prejudice. The clerk of the court shall enter Judgment accordingly.

DATED THIS 3rd day of November, 2022.

UNITED STATES DISTRICT JUDGE